



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DEC 17 1992

Ronald L. Wilson, Director  
Health Assessment Policy Staff  
Office of Health Affairs (HFY-20)  
Food and Drug Administration  
5600 Fisher's Lane, Room 11-44  
Rockville, MD 20857

Dear Mr. Wilson:

The enclosed application for extension of the patent term of U.S. Patent No. 4,486,425 issued on December 4, 1984, was filed on December 7, 1992, under 35 USC § 156.

Your assistance is requested in confirming that the product identified in the application has been subject to a regulatory review period within the meaning of 35 USC § 156 (g) before its commercial marketing or use. Since a determination has not been made whether the patent in question claims a product which is subject to the Federal Food, Drug and Cosmetic Act, this communication is NOT to be considered as notice which may be made in the future pursuant to 35 USC § 156 (d) (2) (A).

Your attention is directed to Paragraph No. 5 of the application wherein applicant notes that the application was not filed within the sixty - day period beginning on the date the product received permission for commercial marketing or use.

C. E. Van Horn

Charles E. Van Horn  
Patent Policy & Projects Administrator  
Office of the Assistant Commissioner for Patents

cc: Lawrence T. Welch  
Corporate Intellectual Property Law  
The Upjohn Company  
301 Henrietta Street  
Kalamazoo, MI 49001